

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Klaus Michael Debatin *et al.*
Title: Smac-Peptides as Therapeutics
Against Cancer and Autoimmune
Diseases

**Filed via EFS Web
March 17, 2009**

Appl. No.: 10/511,037

International Filing Date: April 17, 2003

§371(c) Date: January 19, 2005

Examiner: Hong Sang

Art Unit: 1643

Confirmation Number: 6277

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated September 18, 2008, finally rejecting Claims 45-52.

☒ Applicant claims small entity status.

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

☒ Notice of Appeal Fee

☒ To be paid as detailed below

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$540.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,110.00
<input checked="" type="checkbox"/>	Extension Already Obtained for second month:	- \$490.00
	FEE TOTAL:	\$1,160.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$580.00
	TOTAL FEE:	\$580.00

The above-identified fees of \$580.00 are being paid by credit card via EFS-Web.

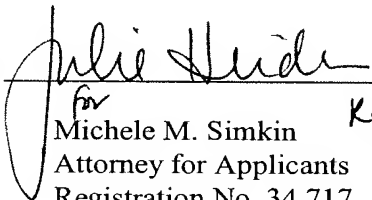
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date March 17, 2009

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5538
Facsimile: (202) 672-5399

By 
for
Michele M. Simkin Reg # 54,161
Attorney for Applicants
Registration No. 34,717